

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte WESLEY STOUT III

---

MAILED

FEB 11 2003

PAT & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application No. 09/100,934

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was received at the Board of Patent Appeals and Interferences on January 15, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On June 22, 1998 (no Paper No.), appellant filed a Petition to Make Special. It is not clear from the record whether the petition was decided. A decision to the Petition to Make Special is required.

Application No. 09/100,934

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) consideration of the Petition to Make Special filed June 22, 1998; 2) appropriate notification by the examiner to appellant of such consideration; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

Dale M. Shaw  
Program and Resource Administrator  
(703) 308-9797

cc: Michael D. Beck  
Baker & Daniels  
300 N. Meridian Street  
Suite 2700  
Indianapolis, IN 46204

DMS/tdl/mh  
RA03-0149